

Appl. No. 10/772,832
Reply Dated August 12, 2005
Reply to Office Action of 05/25/05

Docket No. CM05200H
Customer No. 22917

REMARKS/ARGUMENTS

Claims 1-4 and 7-12 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by US 2005/0025160 (Meier, et al.). Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 2005/0025160 (Meier, et al.) in view of USPN 6,847,620 (Meier).

Applicants herein submit the attached affidavit under 37 C.F.R. § 1.131 swearing behind the reference U. S. Patent Publication No. US 2005/0025160 (Meier, et al.). The affidavit, including the attachments referenced therein, serve to establish conception in the United States of claimed subject matter in the present patent application and diligence to the filing of the present patent application on 5 February 2004 from a date prior to the effective date of the U. S. Patent Publication No. US 2005/0025160 (Meier, et al.) which was filed in the United States on 5 November 2003, and relied upon the Examiner to support rejections under 35 U.S.C. 102 and 35 U.S.C. 103 in the Office Action dated 25 May 2005.

Therefore, Applicants respectfully submit that the Claims 1-12 define patentable subject matter. Accordingly, Applicants respectfully request the withdrawal of the rejection of Claims 1-12.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

The Applicants believe that the subject application, as amended, is in condition for allowance. Such action is earnestly solicited by the Applicants.

Please charge any fees that may be due to Deposit Account 502117, Motorola, Inc.

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Respectfully submitted,

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Attachments